REMARKS

It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 USC §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

Claims 2, 4-7, 9-14 and 16-21 and amended claims 1, 8 and 15 are in this application.

Claims 1, 2, 8, 11, 14, 15, 18 and 21 are rejected under 35 U.S.C. §102(b) as being anticipated by Gaskins (U.S. Patent No. 5,606,315).

Amended independent claim 1 now recites in part as follows:

"A memory apparatus comprising...a second storage region from which data can be read and into which data can be written by a data-processing apparatus**, said second storage region having a user-use prohibition table which is normally inaccessible to said user and which has a plurality of addresses of data items in which one address designates an associated special user block storing password or the information concerning the copyright of the data stored in the first storage region, and another address designates a defective location in said memory apparatus**." (Underlining and bold added for emphasis.)

It is respectfully submitted that the portions of Gaskins relied upon by the Examiner (hereinafter, merely "Gaskins") do not disclose the above-mentioned feature of amended independent claim 1. Accordingly, independent claim 1, as amended herein, is believed to be distinguishable from Gaskins. For reasons similar to those described above with regard to

amended independent claim 1, amended independent claims 8 and 15 are believed to be distinguishable from Gaskins.

Claims 2, 11, 14, 18 and 21 are dependent from one of claims 1, 8 and 15, and, due to such dependency, are also believed to be distinguishable from Gaskins for at least the reasons previously described.

Claims 4-6 are rejected under 35 U.S.C. §103(a) as being unpatentable over Gaskins (U.S. Patent No. 5,606,315).

Claims 4-6 depend from amended independent claims 1, and, due to such dependency, are distinguishable over Gaskins for at least the reasons previously described.

Claims 9, 10, 12, 13, 16, 17, 19 and 20 are rejected under 35 U.S.C. §103(a) as being unpatentable over Gaskins (U.S. Patent No. 5,606,315) in view of Estrakhri (U.S. Patent No. 6,125,435).

Claims 9, 10, 12, 13, 16, 17, 19 and 20 are dependent from one of amended independent claims 8 and 15 and due to such dependency, are believed to be distinguishable for Gaskins for at least the reasons previously described. The Examiner does not appear to rely on Estrakhri to overcome the above-identified deficiencies of Gaskins. Therefore, claims 9, 10, 12, 13, 16, 17, 19 and 20 are believed to be distinguishable from the applied combination of Gaskins and Estrakhri.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned **"Version with markings to show changes made."**

It is to be appreciated that the foregoing comments concerning the disclosures in the cited prior art represent the present opinions of the Applicant's undersigned attorney and, in

the event, that the Examiner disagrees with any such opinions, it is requested that the Examiner indicate where, in the reference or references, there is the basis for a contrary view.

Please charge any fees incurred by reason of this response and not paid herewith to Deposit Account No. 50-0320.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant

GORDON KESSLER #38,571

By: _____
Dennis M. Smid
Reg. No. 34,930
(212) 588-0800

Version with markings to show changes made

IN THE CLAIMS

Please amend claims 1, 8 and 15 by rewriting the same as follows:

1. (Three Times Amended) A memory apparatus comprising:

a first storage region from which data can be read and into which data can be written, in accordance with instructions made by a user[:], and

a second storage region [having a password associated therewith] from which data can be read and into which data can be written by a data-processing apparatus, said second storage region having a user-use prohibition table which is normally inaccessible to said user and which has a plurality of addresses of data items in which one address designates an associated special user block storing password or the information concerning the copyright of the data stored in the first storage region, and another address designates a defective location in said memory apparatus [only when (i) a user entered password correlates to the associated password and (ii) the data-processing apparatus is designed to read from and write to said second storage region].

8. (Three Times Amended) A data-processing apparatus comprising data processing means for writing data into, and reading data from, an memory apparatus comprising a first storage region from which data can be read and into which data can be written, in accordance with instructions made by a user, and a second storage region [having a password associated therewith] from which data can be read and into which data can be written by said data-processing apparatus, said second storage region having a user-use prohibition table which

is normally inaccessible to said user and which has a plurality of addresses of data items in which one address designates an associated special user block storing password or the information concerning the copyright of the data stored in the first storage region, and another address designates a defective location in said memory apparatus [only when (i) a user entered password correlates to the associated password and (ii) the data-processing apparatus is designed to read from and write to said second storage region],

wherein said data-processing means writes data into, or reads data from, the first storage region when the instructions made by the user are supplied to the memory apparatus to write the data into, or to read from, the memory apparatus.

15. (Three Times Amended) A data-processing method characterized in that a memory apparatus comprising a first storage region from which data can be read and into which data can be written, in accordance with instructions made by a user, and a second storage region [having a password associated therewith] from which data can be read and into which data can be written by a data-processing apparatus, said second storage region having a user-use prohibition table which is normally inaccessible to said user and which has a plurality of addresses of data items in which one address designates an associated special user block storing password or the information concerning the copyright of the data stored in the first storage region, and another address designates a defective location in said memory apparatus [only when (i) a user entered password correlates to the associated password and (ii) the data-processing apparatus is designed to read from and write to said second storage region]; and data is written into, or read from, the first storage region when the user makes instructions to write data into, or to read the data from, the memory apparatus.